



PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|                                          |                        |              |
|------------------------------------------|------------------------|--------------|
| Application Number                       | 10/664,741             |              |
| Filing Date                              | September 19, 2003     |              |
| First Named Inventor                     | Kazuko SHINOZAKI       |              |
| Art Unit                                 | 1638                   |              |
| Examiner Name                            | David M. Kruse         |              |
| Total Number of Pages in This Submission | Attorney Docket Number | 382.1029DIV1 |

**ENCLOSURES (check all that apply)**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):<br>- English translation of JP 292348/1998<br>(82 pages); and<br>- Return Receipt Postcard |
| <b>Remarks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                                  |             |        |
|--------------|----------------------------------|-------------|--------|
| Firm         | Davidson, Davidson & Kappel, LLC |             |        |
| Signature    |                                  |             |        |
| Printed Name | Morey B. Wildes                  |             |        |
| Date         | December 6, 2006                 | Reg.<br>No. | 36,968 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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|-----------------------|-----------------|------|------------------|
| Signature             |                 |      |                  |
| Typed or printed name | Morey B. Wildes | Date | December 6, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kazuko SHINOZAKI, et al.  
Serial No.: 10/664,741  
Filed: September 19, 2003  
For: **ENVIRONMENTAL STRESS-TOLERANT  
PLANTS**  
Examiner: David H. Kruse  
Art Unit: 1638  
Confirmation No.: 5801

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 6, 2006

**RESPONSE TO OFFICE ACTION**

S I R:

In response to the non-final Office Action from the U.S. Patent and Trademark Office dated September 25, 2006 in the above-identified application, Applicants hereby respond as follows:

**Amendments to the claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 3 of this paper.